

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

IN RE ROBERT J. DELLAMANO,) Case No. 4:15-CV-1885-CEJ
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MEMORANDUM

Attorneys Dean D. Meriwether and Robert J. Dellamano appeal from several orders of the United States Bankruptcy Court for the Eastern District of Missouri. Meriwether filed the instant "notice of appeal" on December 18, 2015, represented by Dellamano. [Doc. #1] The order that Meriwether appeals from was issued in a case in which he is not a party and does not affect him. Dellamano also filed other documents in this case indicating that he, not Meriwether, is the appellant. In any event, on December 29, 2015, Dellamano filed an amended notice of appeal, additionally challenging several of the bankruptcy court's other orders. [Doc. #6]

On December 18, 2015, the Court issued a case management order. [Doc. #3] The appellant was directed to file a brief within thirty days of the docketing of the appeal, by January 18, 2016. *Id.* No motion was filed to amend the case management order in light of the amended notice of appeal. Further, despite receiving notice in the case management order that a brief was required, appellant did not file a brief in support of the appeal. See Fed. R. Bankr. P. 8014 (explaining the required brief). Therefore, even assuming any of the orders appealed from are reviewable in this Court, see 28 U.S.C. § 158(a), the appeal fails for want of prosecution. Fed. R. Bankr. P. 8018(a)(4) (permitting a district court to "dismiss the appeal on its own motion" where "an appellant fails to file a brief on time" after notice).

Accordingly, the amended appeal will be dismissed.

A separate order of dismissal will issue.



CAROL E. JACKSON
UNITED STATES DISTRICT JUDGE

Dated this 5th day of May, 2016.